

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PETE LOPEZ,)
Petitioner,) 8:05cv97
vs.) ORDER
ROBERT HOUSTON,)
Respondent.)

This matter is before the court on filing no. 11, the respondent's Motion for Summary Judgment. The respondent accurately points out that the habeas corpus claims asserted by Pete Lopez in his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 ("§ 2254 petition") are unclear and difficult to understand. Therefore, the court will require the petitioner to clarify his claim(s) and to respond to the respondent's Motion for Summary Judgment, as set forth below.

IT IS THEREFORE ORDERED:

1. That by June 30, 2005, the petitioner shall file two pleadings: (a) an Amended Petition and (b) a response to the arguments asserted in the respondent's summary judgment motion;
2. That in the absence of an Amended Petition or a response to the Summary Judgment Motion, the petitioner's § 2254 claims may be subject to dismissal, without further notice, by District Judge Richard G. Kopf;
3. That within 30 days after the petitioner files an Amended Petition and responds to the summary judgment motion, the respondent may reply; and
4. That either party may file a written motion for extension of time.

DATED this 23rd day of May, 2005.

BY THE COURT:

s/ F. A. GOSSETT
United States Magistrate Judge